

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANNE TERMINI,

Plaintiff,

**Index No. 07-CV-10483  
(CJB)**

-against-

ROBERT J. ROELLE, individually,  
BOARD OF EDUCATION OF THE  
 OSSINING UNION FREE SCHOOL  
DISTRICT, and OSSINING UNION  
FREE SCHOOL DISTRICT,

Defendants.

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**NOTICE OF MOTION**

**PLEASE TAKE NOTICE** that upon the Declaration of Beth J. Hoffman, dated February 15, 2008, the exhibits annexed thereto, the accompanying memorandum of law and the prior pleadings and proceedings herein, defendants Board of Education of the Ossining Union Free School District and Ossining Union Free School District will move this court on March 28, 2008, at 10:00 a.m., before the Honorable Charles L. Brieant at the United States Federal Courthouse, 300 Quarropas Street, White Plains, New York, for an order dismissing plaintiff's amended complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, together with such other relief as this court deems appropriate.

**PLEASE TAKE FURTHER NOTICE** that any opposition must be served upon the moving parties no later than March 7, 2008, and any reply shall be served no later than March 21, 2008.

Dated: February 15, 2008  
Hawthorne, New York

TRAUB LIEBERMAN STRAUS &  
SHREWSBERRY LLP

By: \_\_\_\_\_

Lisa L. Shrewsberry (LS-1597)

Beth J. Hoffman (BH-9183)

Attorneys for Defendants

*Robert J. Roelle, Raymond Sanchez, Zoila  
Tazi, the Board of Education of the Ossining  
Union Free School District and Ossining  
Union Free School District*

Mid-Westchester Executive Park

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(914) 347-2600

To: Jonathan Lovett, Esq.  
LOVETT & GOULD LLP  
222 Bloomingdale Road  
White Plains, New York 10605  
(914) 428-8401

**AFFIDAVIT OF SERVICE**

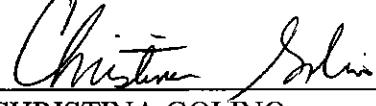
STATE OF NEW YORK )  
                         ) ss.:  
COUNTY OF WESTCHESTER )

Christina Golino, being duly sworn, deposes and says:

That deponent is not a party to the within action and is over 18 years of age.

That on the 15<sup>th</sup> day of February 2008, deponent served the within **NOTICE OF MOTION AND DECLARATION OF BETH J. HOFFMAN** upon the attorney(s) for the respective party(ies) in this action, at the address listed below, such address designated by said attorney for that purpose via **Electronic Case Filing System**.

TO: Jonathan Lovett, Esq.  
Lovett & Gould LLP  
222 Bloomingdale Road  
White Plains, New York 10605

  
\_\_\_\_\_  
CHRISTINA GOLINO

Sworn to before me this  
15<sup>th</sup> day of February, 2008

  
\_\_\_\_\_  
Notary Public

CLAUDINE N. BONCI  
Notary Public, State of New York  
No. 01BO5015056  
Qualified in Westchester County  
Commission Expires July 12, 2011